

**CUSTOMER'S MOTION TO CHALLENGE  
GOVERNMENT'S ACCESS TO FINANCIAL RECORDS**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

\_\_\_\_\_  
DENISE BARNETT,

Movant,

v.

UNITED STATES DEPARTMENT OF  
HOUSING AND URBAN DEVELOPMENT  
OFFICE OF INSPECTOR GENERAL,

Respondent.  
\_\_\_\_\_

Case No. \_\_\_\_\_  
(To be supplied by Court Clerk)

**MOTION FOR ORDER  
PURSUANT TO CUSTOMER  
CHALLENGE PROVISIONS  
OF THE RIGHT TO  
FINANCIAL PRIVACY ACT  
OF 1978**

DENISE BARNETT hereby moves this Court, pursuant

To Section 1110 of the Right to Financial Privacy Act of 1978, 12 U.S.C. § 3410, for an order preventing the government from obtaining access to my financial records. The agency seeking access is the Department of Housing and Urban Development, Office of Inspector General.

My financial records are held by HSBC USA.

In support of this motion, the court is respectfully referred to my sworn statement filed with this motion.

Denise Barnett  
10 Wintergreen Place  
Hopewell Junction, NY 12533  
Telephone: (914) 403-3217

Respectfully submitted,



Denise Barnett

**CUSTOMER'S SWORN STATEMENT FOR FILING A CHALLENGE**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

\_\_\_\_\_X

DENISE BARNETT,

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v.

UNITED STATES DEPARTMENT OF  
HOUSING AND URBAN DEVELOPMENT  
OFFICE OF INSPECTOR GENERAL,

Respondent.

\_\_\_\_\_X

Case No. \_\_\_\_\_  
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**SWORN STATEMENT OF  
MOVANT**

I, DENISE BARNETT, am presently/was previously (indicate one) a customer of HSBC USA and I am the customer whose records are being requested by the Government.

The financial records sought by the Department of Housing and Urban Development, Office of Inspector General (HUD):

1. are not relevant to the legitimate law enforcement inquiry stated in the Customer Notice that was sent to me because there is no basis to suspect that I am or was involved in possible embezzlement of Government Funds.

2. should not be discovered because there has not been substantial compliance with the Right to Financial Privacy Act of 1978 in that HUD has not established that my personal bank account records are relevant to a legitimate law enforcement inquiry.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 2, 2012

  
Denise Barnett

Pursuant to: Section 1110 of the Right to Financial Privacy Act, P.L. 95-630, codified at 12 U.S.C. § 3410.